

Docket No.: M4065.0107/P107-F  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Howard E. Rhodes et al.

Application No.: 10/761,319

Confirmation No.: 2671

Filed: January 22, 2004

Art Unit: 2622

For: RETROGRADE WELL STRUCTURE FOR A  
CMOS IMAGER

Examiner: Chia W. A. Chen

**REMARKS ACCOMPANYING TERMINAL DISCLAIMER**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**REMARKS**

Claims 70-79 stand rejected on the ground of nonstatutory obviousness-type double patenting over claims 36-45 of U.S. Patent No. 6,310,366 ("Rhodes et al."). Claims 120-130 stand rejected on the ground of nonstatutory obviousness-type double patenting over claims 20-35 of Rhodes et al. in view of U.S. Patent 5,471,515 ("Fossum"). In view of the terminal disclaimer to Rhodes et al. submitted herewith, the rejections should be withdrawn.

Dated: January 12, 2009

Respectfully submitted,

By 

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